

**Feb 04, 2019**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

RYAN DALEY, an individual, on  
behalf of himself and all others  
similarly situated,

Plaintiff,

v.

AVENUE5 RESIDENTIAL LLC, a  
Delaware corporation,

Defendant.

No. 2:18-CV-00384-SMJ

**ORDER DISMISSING CASE**


On February 1, 2019, Plaintiff Ryan Daley filed a notice of dismissal, ECF No. 4. Defendant Avenue5 Residential LLC has served neither an answer nor a summary judgment motion. Consistent with Plaintiff's notice of dismissal and Federal Rule of Civil Procedure 41(a)(1)(A)(i), **IT IS HEREBY ORDERED:**

1. Plaintiff's Notice of Voluntary Dismissal – Case, **ECF No. 4**, is **ACKNOWLEDGED**.
2. All claims are **DISMISSED WITHOUT PREJUDICE**, with all parties to bear their own costs and attorneys' fees.
3. All pending motions are **DENIED AS MOOT**.
4. All hearings and other deadlines are **STRICKEN**.

1           **5.**     The Clerk's Office is directed to **CLOSE** this file.

2           **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
3 provide copies to all counsel.

4           **DATED** this 4th day of February 2019.

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6                                 \_\_\_\_\_  
                                  SALVADOR MENDOZA, JR.  
                                  United States District Judge